

1 **IN THE UNITED STATES DISTRICT COURT**
2 **FOR THE DISTRICT OF PUERTO RICO**

3
4 **USA,**

5 **Plaintiff,**

6 **v.**

Civil No. 12-2039 (GAG)

7 **COMMONWEALTH OF PUERTO**
8 **RICO, et al.,**

9 **Defendants.**

10 **ORDER**

11 For the following reasons, the motion to file an amicus curiae brief filed by Attorney Frank
12 Inserni is **DENIED**. In response to the proposed settlement agreement filed by the parties, the court
13 set April 1, 2013 as the deadline for all government or private entities to file an amicus curiae brief
14 in this case. (Docket No. 7.) On April 3, 2013, two days after the deadline, Attorney Inserni filed
15 an amicus brief in which he recounts the facts of various individuals who have filed suit against
16 PRPD for alleged constitutional violations. (Docket No. 37.) All of the claims included in the brief
17 are currently being adjudicated in federal court or being reviewed by the EEOC. (See id.) As such,
18 the merits of the claims cannot be adjudicated within the auspices of the pending litigation in this
19 case. The proposed settlement agreement does not create any additional rights that would allow
20 individuals to join suit for past constitutional violations by PRPD.

21 Additionally, the court has reviewed the allegations contained in the amicus brief. The court
22 notes -in the general sense- the parties have addressed many of the issues contained in the brief.
23 Because the amicus brief was untimely filed and the claims are currently being pursued, the court
24 **DENIES** the motion to file an amicus brief (Docket No. 37).

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SO ORDERED.

In San Juan, Puerto Rico this 4th day of April, 2013.

S/Gustavo A. Gelpi

GUSTAVO A. GELPÍ

United States District Judge